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Attorneys for Michael L. Montalvo

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL L. MONTALVO,

Defendant.

) **Case No. CR-S-89-062-WBS**

) **STIPULATION AND (PROPOSED) ORDER**
) **EXTENDING TIME FOR FILING OF**
) **PETITIONER'S REPLY BRIEF**

STIPULATION

Defense counsel is requesting additional time to investigate myriad of information and issues presented by the government's Responsive Brief, where after a thorough review of this complex history of litigation, additional investigation is needed including the need for further discussions with former trial counsel, Mr. E. Richard Walker, concerning some of the information contained within said brief in order for the Petitioner to prepare its Reply Brief. Mr. Walker has recently been able to discuss the case further after undergoing back surgery where a supplemental declaration to his filed declaration is contemplated.

1 And additional time is needed to prepare and arrange execution thereof. Defense counsel, in their review
2 of the government's brief, have determined that in order to fully inform the Court, the truth as to certain
3 issues raised, additional time is required to locate and interview pertinent historical witnesses/participants
4 in this case.

5 Therefore, the government has graciously agreed with the petitioner to stipulate to an extension of
6 time within which petitioner may file Petitioner's Reply Brief, from the present due date of July 3, 2013 to
7 a new and different date of **Wednesday, August 7, 2013**. The balance of the Court's previous order of
8 March 21, 2013, i.e. that upon the filing of the Petitioner's Reply Brief the Court "will take the motion
9 under submission and will inform the parties if oral argument or further proceedings are necessary," shall
10 remain in full force and effect.

11 **It is so stipulated.**

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13 **Dated: June 27, 2013**

14 */s/ Mr. Philip A. Ferrari, Esq. (by web)*

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Mr. Philip A. Ferrari, Esq.
Assistant United States Attorney
Counsel for Respondent

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18 **Dated: June 27, 2013**

19 */s/ Mr. William E. Bonham, Esq.*

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Mr. William E. Bonham, Esq.
Counsel for Petitioner, Michael Montalvo

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22 **Dated: June 27, 2013**

23 */S/ Mr. Robert M. Holley, Esq. (by web)*

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Mr. Robert M. Holley, Esq.]
Counsel for Petitioner, Michael Montalvo

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ORDER

GOOD CAUSE APPEARING, IT IS SO ORDERED.

Dated: June 28, 2013

A handwritten signature in blue ink, appearing to read "William B. Shubb", is written over a horizontal line.

WILLIAM B. SHUBB

UNITED STATES DISTRICT JUDGE